

**REMARKS**

Claims 1-7 have been examined, and have been rejected under 35 U.S.C. § 103(a).

**I. Preliminary Matters**

Applicant has made a minor amendment to claims 3, 6 and 7 to avoid any antecedent basis errors.

**II. Rejection under 35 U.S.C. § 103(a) over U.S. Patent No. 5,659,350 to Hendricks et al. (“Hendricks ‘350”).**

Claims 1, 2, 5 and 6 have been rejected under 35 U.S.C. § 103(a) as being anticipated by Hendricks ‘350, cited by the Applicant.

**A. Claim 1**

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites a management number that is uniquely allocated to each analog program and is commonly used in all areas, and a channel display number used in each area for selecting an analog program.

The Examiner maintains that the claimed management number is taught by the use of service ID’s for identifying virtual or non-existent “channels”, as disclosed in col. 28, lines 12-37 of Hendricks ‘350. However, as stated above, claim 1 recites that the management number is uniquely allocated to each analog “program”. Since the service ID of Hendricks ‘350 identifies a

channel (i.e. virtual channel) rather than a program, as recited in claim 1, Applicant submits that the service ID fails to teach or suggest the claimed management number.

Claim 1 and the cited reference were discussed during a telephone interview with the Examiner and the Examiner's supervisor on November 20, 2003. As noted in the Interview Summary, the Examiner indicated that the amendment to claims 1 and 5 appear to render the claims allowable for the reasons set forth above.

Accordingly, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests the Examiner to reconsider and withdraw the rejection.

**B. Claim 2**

Since claim 2 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

**C. Claim 5**

Since claim 5 contains features which are analogous to the features recited in claim 1, Applicant submits that such claim is patentable for at least analogous reasons as presented above.

**D. Claim 6**

Since claim 6 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

In addition, claim 6 recites that both data indicative of an area code, and data indicative of a channel contrastive table, are transmitted from a digital head end to terminals of respective

areas respectively via a data transmission channel which is separately provided with a channel for transmitting the picture signal.

The Examiner maintains that column 8, lines 15-22 of Hendricks '350 disclose the above feature. However, such portion discloses that a program control information signal is delivered with the program package to cable head end 208 and/or set top terminal 220 (col. 8, lines 15-18). Therefore, assuming *arguendo* that the program control information signal discloses the claimed data indicative of the area code and channel contrastive table, and the program package discloses the claimed picture signal, the reference fails to teach that the data are transmitted via a data transmission channel which is separately provided with a channel for transmitting the picture signal.

Accordingly, Applicant submits that claim 6 is patentable over the cited reference, and respectfully requests the Examiner to withdraw the rejection.

**III. Rejection under 35 U.S.C. § 103(a) over Hendricks '350 in view of U.S. Patent No. 5,990,927 to Hendricks et al. ("Hendricks '927").**

Claims 3, 4 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendricks '350, cited by the Applicant, in view of Hendricks '927, cited by the Examiner.

**A. Claim 3**

Since claim 3 is dependent upon claim 1, and since Hendricks '927 does not cure the deficient teachings of Hendricks '350, Applicant submits that such claim is patentable over the cited references for at least similar reasons as set forth above.

In addition, claim 3 recites an analog frequency transmission contrastive table. When a channel for selecting an analog program is designated, each terminal retrieves a management number corresponding to the designated channel display number. Each terminal then retrieves a transmission frequency of the analog program corresponding to the retrieved management number.

The Examiner maintains that column 9, lines 7-30, of Hendricks '927 discloses the above features. However, the cited portion just discloses that cable headend 208 prepares program signals for transmission to each set top terminal 220 (col. 9, lines 7-9). The signal processor 209 allocates different portions of the signal to different frequency ranges. Assuming *arguendo*, that the set top terminals 220 disclose the claimed terminals, Hendricks '927 fails to teach or suggest that each set top terminal 220 stores an analog channel frequency contrastive table and retrieves a management number based on a designated channel display number, as required by claim 3.

The Examiner further points to column 25, lines 43-60 as showing the claimed analog frequency transmission contrastive table. However, such portion just discloses that when a subscriber chooses a desired channel or program, the microprocessor 602 of set top terminal 220, instructs tuner 603 to tune to the proper frequency of the desired program (col. 25, lines 53-59). There is no disclosure of the use of a frequency contrastive table and/or management number.

Accordingly, Applicant submits that claim 3 is patentable over the cited references and respectfully requests the Examiner to withdraw the rejection.

**B. Claims 4 and 7**


Since claims 4 and 7 are dependent upon claim 1, and Hendricks '927 fails to cure the deficient teachings of Hendricks '350, Applicant submits that such claims are patentable at least by virtue of their dependency. In addition, since claim 7 contains features which are analogous to the features recited in claim 6, Applicant submits that claim 7 is patentable for at least analogous reasons as presented above in claim 6.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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